



is inadequate, given the continuing conduct; (c) the threatened injury to the Plaintiff outweighs any damage to the Defendant, who has no legitimate interest in continuing to disregard the law; and (d) the injunction will not disserve the public interest, as the public will be benefitted by the enforcement of the law.

5. In the Court's discretion, the Court finds this is an exceptional case due to the fact that KDM has completely disregarded this litigation by failing to appear, and therefore attorneys' fees should be awarded to Plaintiff.

Accordingly, it is hereby **ORDERED AND ADJUDGED** as follows:

A. A hearing is set for \_\_\_\_\_, 2014, at \_\_\_\_\_ o'clock \_\_\_\_m.

[A. Plaintiff, Flexible Innovations Ltd., is hereby awarded against the Defendant, K Design Marketing, Inc., judgment for \_\_\_\_\_ Dollars (\$\_\_\_\_\_);]

B. Defendant, and all employees, agents, anyone acting in concert with Defendant, and other persons with knowledge of this Order, are hereby **ENJOINED** to refrain from further use of DIGICLEAN, DIGICLOTH, DIGIPAD, or any name or mark deceptively similar thereto in any manner (including, but not by way of limitation, as a hidden keyword computer search term);

C. Plaintiff be awarded its reasonable and necessary attorneys' fees, which shall be adjudged in a separate order pursuant to proof offered by Plaintiff with fourteen (14) days;

D. Plaintiff be awarded its court costs; and

E. Plaintiff be awarded post-Judgment interest at the legal rate of \_\_\_\_\_ percent (\_\_\_\_ %), compounded annually.

**SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Reed O'Connor  
United States District Judge

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